

STAFF REPORT

July 25, 2002

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**No. 02PD020 - Planned Residential Development - Initial and Final Development Plan**      **ITEM 41**

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GENERAL INFORMATION:

PETITIONER	Renner & Sperlich Engineering Co. for Robert E. Moore
REQUEST	<b>No. 02PD020 - Planned Residential Development - Initial and Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	Lot 15 of Kepp Heights Subdivision #3, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 15 of Kepp Heights Subdivision #4, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.874
LOCATION	South of Flormann Street and Skyline Drive
EXISTING ZONING	Low Density Residential/Planned Development Designation
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Low Density Residential District
West:	Park Forest District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	05/13/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Planned Residential Development – Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Initial Development Plan approval by the Planning Commission, Preliminary and Final Plat #02PL028 shall be approved;
2. Prior to Initial Development Plan approval by the Planning Commission, a revised water plan shall be submitted for review and approval. In particular, the water plan must provide looping with the southwest water zone. In addition, connection fees and agreements shall

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3. be executed for the proposed water line(s);
3. Prior to Initial Development Plan approval by the Planning Commission, a revised sewer plan shall be submitted for review and approval;
4. Prior to Initial Development Plan approval by the Planning Commission, the site plan shall be revised to show the lowest floor elevation(s) of the proposed residences to insure sewer gravity flow;
5. Prior to Initial Development Plan approval by the Planning Commission, a revised drainage plan shall be submitted for review and approval. In particular, the drainage plan must provide road ditch design and calculations and address the design controls necessary for protecting Lots 1 thru 7 from drainage off of Skyline Drive;
6. Prior to Initial Development Plan approval by the Planning Commission, revisions to the geotechnical report shall be submitted for review and approval. In addition, revised grading and topographic data shall be submitted as necessary to insure slope stability for the proposed development;
7. Prior to Initial Development Plan approval by the Planning Commission, the existing utility line shall be shown on the site plan;
8. Prior to issuance of a building permit, geotechnical information, specific to the individual lot, shall be submitted for review and approval to insure soil stability on the site;

#### Fire Department Recommendation:

9. The Uniform Fire Code shall be continually met;
10. Prior to issuance of a building permit, fire hydrants shall be in place and operational;
11. Prior to issuance of a building permit, all weather access road(s) shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;

#### Building Inspection Division Recommendation:

12. A building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy;

#### Air Quality Division Recommendation:

13. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;

#### Urban Planning Division Recommendations:

14. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Development Plan or a subsequent Major Amendment;
15. A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot front yard setback for all garages shall be provided on Lots 1 thru 7. In addition, all structures shall be located within the building envelopes as identified on the site plan. Specifically, a minimum 60 foot rear yard setback shall be provided on Lots 2, 5, 6 and 7. A minimum 80 foot rear yard setback shall be provided on Lot 1. A minimum 70 foot rear yard setback shall be provided on Lot 3 and a minimum 90 foot rear yard setback shall be provided on Lot 4;

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16. Prior to Initial Development Plan approval by the Planning Commission, the maximum building elevations on Lots 3 and 4 shall be lowered by 4.15 feet and 2.87 feet, respectively;
17. No aerial or antenna, including satellite dishes shall be maintained on the roof of any building or at any location so as to be visible to the neighboring property owners;
18. Other than street light(s) and residential lighting, no other lighting shall be allowed within the Planned Residential Development;
19. A four foot by eight foot ground sign, displaying the name of the subdivision, shall be allowed in the southeast corner of the interior road/Skyline Drive intersection. The sign shall be constructed of rock, wood, stone and/or brick and shall not be lighted;
20. No landscaping, other than groundcover, shall be allowed in the site distance triangle located in the northwest corner of the subject property adjacent to Skyline Drive;
21. The proposed single family residential development shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development with no structural elevation(s) exceeding the adjacent pavement elevation(s) of Skyline Drive;
22. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

#### GENERAL COMMENTS:

**This item has been continued several times since the June 6, 2002 Planning Commission meeting to allow the applicant to submit additional information. Staff recommended approval of this item at the July 3, 2002 Planning Commission meeting, however, the applicant had not met all of the stipulations of approval. Staff will notify the Planning Commission at the July 25, 2002 Planning Commission meeting if the stipulations of approval have not been met. No other part of this Staff Report has been revised.** The applicant is requesting approval of an Initial and Final Residential Development Plan to allow 15 single family residences to be constructed on the subject property. The property is located approximately 150 feet south of the intersection of Skyline Drive and Flormann Street on the south and east side of Skyline Drive. The subject property is currently void of any structural development.

The applicant has also submitted a Preliminary and Final Plat to create a 15 lot residential development on the subject property. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive street improvements along Skyline Drive and to allow lots twice as long as they are wide. (See companion items #02PL028 and #02SV015.)

On January 15, 1996, City Council approved Layout Plat #2281 to subdivide the subject property into 15 lots and to subdivide an adjacent property into three lots. (A subsequent lawsuit resulted in the District Court overturning the Layout Plat approval.) On February 7, 2000, the City approved Rezoning Request #99RZ019 and Planned Development Designation #99PD023 to change the zoning from Park Forest District to Low Density Residential District with a Planned Development Designation. An Initial and Final Residential Development Plan must be approved prior to any development on the property.

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#### STAFF REVIEW:

During the review of the Initial and Final Development Plan, staff identified the following considerations:

Skyline Drive: As previously indicated, the applicant has also submitted a Preliminary and Final Plat to subdivide the subject property into 15 residential lots. The Preliminary and Final Plat was initially heard at the April 25, 2002 Planning Commission meeting and, subsequently, continued to the June 6, 2002 Planning Commission meeting to allow the applicant to submit additional information. In particular, it was noted that an Initial and Final Planned Residential Development must be submitted and approved in order to insure that buildable areas exist on each of the proposed lot(s). In addition, it was noted that Skyline Drive is an important asset to the community and, as such, the Planned Residential Development must be developed carefully so as to preserve the scenic view from Skyline Drive. Structures built too close to the roadway could result in a corridor affect along the roadway and obstruct the scenic views from Skyline Drive. The Planned Residential Development must also be developed so that the views to Skyline Drive from the rest of the community are protected. Structure locations and elevations must be developed so that the view of the ridgeline of Skyline Drive is not adversely affected to a significant extent.

The applicant has submitted a cross section for the proposed interior road identifying the elevations of the proposed roadway. In addition, the applicant has submitted a copy of proposed covenants stating that "...no dwelling shall be more than two and a half stories in height, except on proposed Lots 1 and 2. Lots 1 and 2 will be limited to a ranch style home not exceeding 28 feet in height". (It's important to note that the height of a structure is measured midway from the top of the pitch of the roofline.) The cross section information and the proposed covenants does not adequately demonstrate that the proposed residences will not have a negative impact on Skyline Drive. As such, staff is recommending that the Initial and Final Residential Development Plan be continued to the June 20, 2002 Planning Commission meeting to allow the applicant to submit structural elevations of the proposed residence(s) in relation to the location of the structure on each lot along Skyline Drive. On June 6, 2002, the applicant submitted structural elevations of the proposed residences as outlined above. However, a 100 foot setback was not maintained along Skyline Drive as outlined in the "Setback Requirement" portion of this staff report. On June 13, 2002, staff met with the applicant to discuss setback issues along Skyline Drive. The applicant submitted cross section elevations showing the proposed building envelopes on each lot in comparison to the elevation(s) of Skyline Drive. Staff noted that reducing the front yard setback from 25 feet to 15 feet for the residential structure and from 25 feet to 18 feet for the garage and shifting the interior road location further to the east would increase the setback(s) along Skyline Drive while maintaining buildable areas on each lot. The applicant indicated that a revised site plan would be submitted adjusting the front yard setback and realigning the location of the interior road as identified.

On June 18, 2002, the applicant submitted a revised site plan shifting the proposed interior road to the east as requested, adjusting the front yard setback(s) as identified and increasing the rear yard setbacks along Skyline Drive from 25 feet to a varied range of 60

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feet to 90 feet. In addition, the applicant submitted revised cross section elevations showing the maximum building height of each proposed residential structure on each lot in comparison to the elevations of Skyline Drive. Lots 3 and 4 exceed the pavement elevation of Skyline Drive by 4.15 feet and 2.87 feet, respectively. Due to the topographic constraints and the soil stability concerns associated with the site, staff is recommending that the rear yard setback(s) be allowed as identified on the site plan. However, staff is also recommending that the maximum building heights on Lots 3 and 4 be reduced by 4.15 feet and 2.87 feet, respectively, to minimize any negative impact the reduced rear yard setback may have on Skyline Drive.

Signage/Site Distance Evaluation: The applicant has submitted a sign package identifying the placement of a 4 foot X 8 foot sign to be located at the entrance to the development, on the west side of the proposed interior road. During the review of the associated Preliminary and Final Plat, staff noted that a site distance evaluation must be submitted to insure that an adequate site distance is being provided at the proposed interior road/Skyline Drive intersection. It appears that the proposed sign may interfere with the site distance at this intersection. As such, a site distance evaluation must be submitted for review and approval to insure that the location of the proposed interior road provides an adequate site distance at the intersection and to address the location of the proposed sign. On June 18, 2002, the applicant submitted a revised sign package relocating the sign to the east side of the entrance road. In addition, the applicant submitted a site distance evaluation for the above referenced intersection. Staff is currently reviewing the information and will notify the Planning Commission at the July 3, 2002 Planning Commission meeting if the location of the sign must be adjusted and/or if additional site distance information must be submitted for review and approval.

Setback Requirement: The Municipal Code requires a minimum 25 foot setback from a street or roadway. Through a recent Preliminary and Final Plat review for the Skyline Drive Subdivision, a minimum of 100 foot setback from Skyline Drive was required. The Skyline Drive Subdivision is located directly south of the subject property and shares similar topographic constraints and challenges as found on the subject property. During the previously approved Planned Development Designation review for the subject property, it was noted that "...structures built too close to the roadway could result in a corridor affect along the roadway and obstruct the scenic views from Skyline Drive. Structure locations and elevations will need to be developed so that the view of the ridgeline of Skyline Drive is not adversely affected". (Please note, in 1996 a Planned Residential Development was approved for the subject property requiring a minimum 100 foot setback for all structures along Skyline Drive. The City Council later acknowledged the applicant's request to withdraw the Planned Residential Development.) In order to minimize the impact that the proposed residential development may have on Skyline Drive and remaining consistent with previous setback requirements for residential development(s) within the area, a minimum 100 foot setback should be maintained along Skyline Drive. As indicated above, the applicant has submitted a revised site plan providing a minimum 15 foot front yard setback for the principal structures and providing a minimum 18 foot front yard setback for the garage structures on Lots 1 thru 7. (Lots 8 thru 15 show a minimum 25 foot front yard

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setback.) The revised site plan also identifies building envelopes on each lot. The building envelopes on Lots 1 thru 7, adjacent to Skyline Drive, range from 60 feet to 90 feet. As previously indicated, due to the topographic constraints and the soil stability issues relative to the subject property, staff is recommending that the rear yard setbacks along Skyline Drive be allowed as shown on the site plan with the stipulation that the maximum building heights on Lots 3 and 4 be reduced as previously outlined.

Construction Plans: As noted during the review of the associated Preliminary and Final Plat, a revised water and sewer plan must be submitted for review and approval. In addition, the lowest floor elevations of the proposed residences must be identified on the plat to insure sewer gravity flow. Staff is recommending the lowest floor elevations also be shown on the Initial and Final Development Plan to insure that each lot provides a buildable area that can be served by gravity sewer.

Lighting and Signage: The applicant has indicated that other than street lights and exterior residential lighting, no other lighting is proposed within the development. In addition, the applicant has indicated that a four foot X eight foot ground sign, displaying the name of the subdivision, will be located in the southeast corner of the interior road/Skyline Drive intersection. The applicant has also indicated that the sign will be constructed of rock, wood, stone and/or brick and will not be lighted.

Staff is recommending that the Planned Residential Development – Initial and Final Development Plan be approved with the stipulations as outlined above.